

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/9/2021
---

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X	
WALLEYE TRADING LLC, <i>individually and on</i>	:
<i>behalf of all others similarly situated,</i>	:
	:
Plaintiff,	:
	:
-against-	:
	:
	:
MINDBODY, INC., RICHARD L.	:
STOLLMAYER, AND BRETT WHITE,	:
	:
Defendants.	:
-----X	

19-CV-8331 (VEC)

ORDER

VALERIE CAPRONI, United States District Judge:

WHEREAS on September 9, 2021, the parties appeared for a status conference;

IT IS HEREBY ORDERED that the following schedule is adopted:

Event	Deadline
Plaintiffs' Class Certification Motion and Opening Expert Reports	Friday, October 15, 2021
Class Certification Discovery by Defendants (including fact depositions and depositions of any experts whose opinions are relied upon in support of Plaintiffs' class certification motion)	Friday, November 5, 2021
Defendants' Class Certification Opposition; Defendants' Expert Reports; Any <i>Daubert</i> Challenge to Plaintiffs' Experts	Thursday, December 2, 2021
Completion of Class Certification Discovery by Plaintiffs (including depositions of any experts whose opinions are relied upon by Defendants in opposing Plaintiffs' class certification motion)	Thursday, December 23, 2021
Plaintiffs' Class Certification Reply; Plaintiffs' Response in Opposition to Defendants' <i>Daubert</i> Challenge; Cross <i>Daubert</i> Challenge to Defendants' Experts	Friday, January 14, 2022
Defendants' Reply in Support of its <i>Daubert</i> Challenge of Plaintiffs' Experts; Defendants' Response in Opposition to Plaintiffs' <i>Daubert</i> Challenge	Friday, February 18, 2022
Plaintiffs' Reply in Support of Its Cross <i>Daubert</i> Challenge to Defendants' Experts	Friday, March 4, 2022
Interrogatories	Friday, October 22, 2021

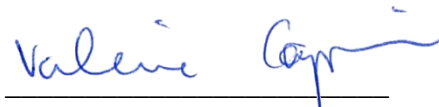
Requests to Admit	Friday, October 22, 2021
Completion of Fact Discovery (including fact depositions)	Monday, November 22, 2021
Submission of Expert Reports for Party with Burden of Proof on Issue	45 days after Court's decision on class certification
Expert Rebuttal Reports	35 days from opening expert reports
Expert Reply Reports	35 days from rebuttal reports

IT IS FURTHER ORDERED that the parties may change interim deadlines upon consent and without leave of Court. The parties may not adjourn the final briefing deadline (*i.e.*, all briefing on class certification and associated *Daubert* motions must be complete by March 4, 2022) or the November 22, 2021 fact discovery deadline without leave of Court.

IT IS FURTHER ORDERED that if, at any time, both parties want a settlement conference with the assigned Magistrate Judge, they may submit a joint letter requesting a referral.

**SO ORDERED.**

**Date: September 9, 2021**  
**New York, New York**

  
**VALERIE CAPRONI**  
**United States District Judge**